

Form PTO-1390

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P28026

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR
1.5)

10/541,845

INTERNATIONAL APPLICATION NO.
PCT/DE03/04283INTERNATIONAL FILING DATE
December 23, 2003PRIORITY DATE CLAIMED
January 13, 2003

TITLE OF INVENTION

FIXING THE POSITION OF A PULL-TAB WITH AN ANTI ROTATION BEAD FORMED FROM THE PANEL

APPLICANT(S) FOR DO/EO/US
Hajo RIECK, Richard CHALK and Martin GRAY

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.
4. The US has been elected (PCT Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154 (d) (4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. .371(c)(4)).

10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 22 below concern other document(s) or information included:

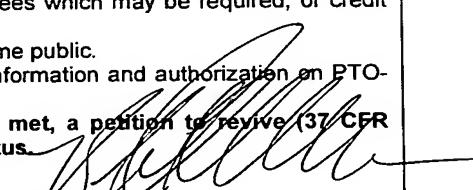
11. Assignee: BALL PACKAGING EUROPE GmbH of Ratingen, Germany
12. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. A FIRST preliminary amendment.

 A SECOND or SUBSEQUENT preliminary amendment.
15. An Application Data Sheet under 37 C.F.R. 1.76.
16. A substitute specification.
17. A power of attorney and/or change of address letter.
18. Figure of Drawing to be published.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
20. A second copy of the published international application under 35 U.S.C. 154 (d) (4).
21. A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).
22. Other items or information:

Cover Letter

PCT/DO/EO/905

P28026.P06

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/541,845		INTERNATIONAL APPLICATION NO. PCT/DE03/04283	ATTORNEY'S DOCKET NUMBER P28026	
23 <input type="checkbox"/> The following fees are submitted: Basic national fee..... 24 <input type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4)..... All other situations..... 25 <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority..... International Search Report prepared and provided to the Office..... All other situations..... TOTAL 23, 24 and 25 =			CALCULATIONS	PTO USE ONLY
			\$ 0.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
-100=	/50 =		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				0.00
Claims	Number Filed	Number Extra	Rate	
Total Claims	53	- 20 =	33	x \$50.00 \$1,650.00
Independent Claims	7	- 3 =	4	x \$200.00 \$ 800.00
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$2,450.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ .				\$ 0.00
SUBTOTAL =				\$2,450.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				\$ 130.00
Extension of Time fee in the amount of \$				\$ 450.00
TOTAL NATIONAL FEE =				\$3,030.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00
TOTAL FEES ENCLOSED =				\$3,030.00
06/30/2006	1650.00	00	Amount to be refunded	\$
02 FC:1615	1650.00	00	Charged	\$
02 FC:1614	600.00	00		
03 FC:1614	130.00	00		
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 3,030.00</u> to cover the above fees is included. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF: June 27, 2006 GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191				
SIGNATURE  Robert W. Mueller Neil F. Greenblum Reg. No. 35,043 NAME 28,394 REGISTRATION NUMBER				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hajo RIECK et al. **Mail Stop PCT**
Appl. No: : 10/541,845 **PCT Branch**
(National Stage of PCT/DE03/04283)
I. A. Filed : December 23, 2003
For : FIXING THE POSITION OF A PULL-TAB WITH AN ANTI-ROTATION
BEAD FORMED FROM THE PANEL

COVER LETTER

Mail Stop PCT
Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an *executed Declaration and English translation of the International Application* set forth in the Notification mailed February 27, 2006 which sets a two-month period of response until April 27, 2006 and being extended by two months to June 27, 2006, Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- a Preliminary Amendment;
- a Request for Extension of Time;
- a Verified English Language translation of the application as filed (including 25

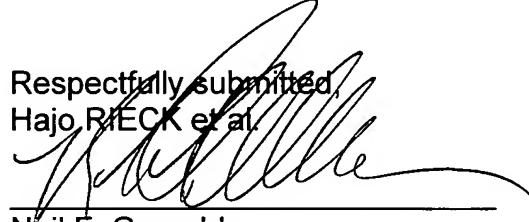
pages with abstract and 4 sheets of drawings); and

- a check in the amount of \$3,030.00 of which \$1,650.00 is payment for claims in excess of twenty, \$800.00 is payment for claims in excess of three, \$130.00 is payment for the verified English language translation of the application as filed and \$450.00 is payment for two months extension of time.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
Hajo RIECK et al.


Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

June 27, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,845	Hajo Rieck	P28026
		INTERNATIONAL APPLICATION NO.
		PCT/DE03/04283
7055 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191	RECEIVED MAR 02 2006 GREENBLUM & BERNSTEIN PLC	I.A. FILING DATE PRIORITY DATE 12/23/2003 01/13/2003
		CONFIRMATION NO. 6760 371 FORMALITIES LETTER  *OC000000018135580*

Date Mailed: 02/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/12/2005
- Copy of the International Search Report filed on 07/12/2005
- Copy of IPE Report filed on 07/12/2005
- Oath or Declaration filed on 07/12/2005
- Request for Immediate Examination filed on 07/12/2005
- U.S. Basic National Fees filed on 07/12/2005
- Priority Documents filed on 07/12/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 C.F.R. 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,845	PCT/DE03/04283	P28026

FORM PCT/DO/EO/905 (371 Formalities Notice)